

LSK&D #: 650-0138/4811-1382-1526

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Attorneys for Defendants

Penske Truck Leasing Co., LP i/s/h/a Penske Truck Leasing

and ROBERT TIMKE

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

-----X
TAQUIOYA CAUSEY

Docket No.:

Plaintiff,

– against –

ROBERT TIMKE, PENSKE TRUCK LEASING,
JOHN DOE 1-10 (said names being fictitious)
ABC CORP. A-Z (said names being fictitious)

PETITION OF REMOVAL

ASSIGNED TO:

TRIAL BY JURY DEMANDED

Defendants

-----X

Defendants allege as follows for their notice of removal:

1. On or about January 12, 2017, plaintiff Taquioya Causey filed a complaint, Exhibit A hereto, in a civil action for money damages in New Jersey Superior Court, Passaic County, under docket no. L-172-17.

2. Defendants served an answer to the complaint on May 30, 2017, Exhibit B.

3. This action is removable to this court under 28 U.S.C. §1441, in that the amount in controversy exceeds the sum of seventy five thousand dollars (\$75,000.00), exclusive of interest and costs, the citizenship of the parties is completely diverse, no defendant is a citizen of

New Jersey, and this notice is filed within 30 days of defendants' receiving a response to their Demand for Statement of Damages.

4. Plaintiff was and is a citizen of the State of New Jersey when this action was commenced and, upon information and belief, at the filing of this notice.

5. Defendant Penske Truck Leasing Co., LP i/s/h/a Penske Truck Leasing is a limited partnership having its principal place of business in Reading, Pennsylvania.

6. Defendant Robert Timke is a resident of New York.

7. The allegations above as to defendants' citizenship were true when the action was commenced and are true when this notice is filed.

8. Neither the Summons nor the Complaint states the amount plaintiff demands as damages. Plaintiff responded to defendants' Demand for Statement of Damages on or about November 8, 2017, showing that plaintiff's demand is in the amount of \$1,000,000 and whereupon the action became removable. The response to Demand for a Statement of Damages is annexed as Exhibit C. This notice is filed within thirty days of receipt of the plaintiff's response to Demand for Statement of Damages.

WHEREFORE, Defendants, Penske Truck Leasing Co., LP i/s/h/a Penske Truck Leasing and Robert Timke, pray that this action now pending against them in the Superior Court of the State of New Jersey, Passaic County, be removed therefrom to this Court.

Dated: Teaneck, New Jersey
December 1, 2017

LESTER SCHWAB KATZ & DWYER, LLP
Attorneys for Defendants
Penske Truck Leasing Co., LP i/s/h/a Penske Truck
Leasing and ROBERT TIMKE

By: 
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